

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Iwao Hatanaka

Art Unit: 2141

Serial Number: 09/781,616

Examiner: Luu, Le Hien

Filing Date: 02/12/2001

Docket No.: CHA9-99-015

Title: METHOD AND SYSTEM FOR AUTOMATED
SESSION RESOURCE CLEAN-UP IN A
DISTRIBUTED CLIENT-SERVER ENVIRONMENT

Confirmation No.: 9505

Mail Stop Appeal Brief-Patents
Commissioner for Patents
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REPLY BRIEF

The following remarks are directed to the new points of argument raised in the Examiner's Answer dated October 25, 2006.

In Section (10) (II) of the Examiner's Answer, the Examiner asserts, for the first time, that the following aspects of Sayan's teachings disclose the claimed invention regarding determining whether the resources have been held by the remote client for a period longer than a first preset threshold:

First, a client requests and a pool agent performs more than one transactions requested by the client. If the first transaction requested by the client is processed by the pool agent is [*sic.*] over the CPU limit, a communication between the pool agent and the client can not exist for a period longer than the CPU limit.

Second, a single request from the client and the pool agent performs only one transaction to process the request. In this case, the communication between the pool agent and the client can not exist for a period longer than the CPU limit if the transaction is required to be processed longer than the CPU limit.

-- Examiner's Answer at page 7, inner citation omitted, emphasis added.

Appellant submits that in making the above assertions, the Examiner actually admits that Sayan does not determine whether the resources have been held by the remote client for a period longer than a first preset threshold. In the above assertion, the Examiner describes Sayan as determining whether the first (or the only) transaction is required to be processed longer than the CPU limit. The period for processing the first or the only transaction is different than a period of holding a resource. As such, the Sayan disclosure, as asserted by the Office, sets a different condition for releasing resources than the claimed invention. Specifically, the claimed invention determines, *inter alia*, whether the resources have been held by the remote client for a period longer than a first preset threshold (claims 1, 5 and 9-10), which Sayan does not teach.

In addition, Appellant submits that the Examiner distorts Sayan in making the above assertions. Sayan requires that “[t]he CPU parameter (i.e., CPU limit) should be set greater than the maximum time and preferably to at least twice the maximum time used for the longest of all transactions serviceable by the pool agent.” (Col. 8, lines 64-67, parenthetical explanation added). As such, there will not be the situation that “the (first or the only) transaction is required to be processed longer than the CPU limit” (Examiner’s Answer at page 7, parenthetical explanation added) because a pool agent cannot service such a transaction at the beginning, i.e., the pool agent cannot be established because the transaction requires a process time longer than “the maximum time used for the longest of all transactions serviceable by the pool agent.” (Col. 8, lines 66-67 of Sayan).

In view of the foregoing, the assertions in the Examiner’s Answer distort Sayan and actually admit the arguments presented by Appellant in the Appeal Brief of 8/17/06.

It is respectfully submitted that all points raised in the Appellant's Reply Brief are directed to new points of argument raised in the Examiner's Answer. For the reasons set forth herein and in the Appeal Brief, it is further submitted that the Final Rejection of Claims 1-11 should be reversed.

Respectfully submitted,



Dated: 12/19/06

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